

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EMILIANO VALENZUELA,

Petitioner,

v.

I. JACQUEZ, C. PETERS,

Respondent.

CASE NO. 2:23-CV-105-LK-DWC

ORDER APPOINTING FEDERAL
PUBLIC DEFENDER

This is a 28 U.S.C. § 2241 habeas action. Petitioner Emiliano Valenzuela has filed a motion to appoint counsel. (Dkt. 2.) Having considered the motion, Petitioner's financial eligibility, and the balance of the record, the Court finds and ORDERS:

(1) The Court is in receipt of a letter from the Federal Public Defender's Office alleging that the Federal Bureau of Prisons has miscalculated Petitioner's sentence because it refuses to apply earned time credits he is entitled to under the First Step Act, 18 U.S.C. § 3632(d), towards his sentence due to an immigration detainer and/or other unresolved immigration issues. (Dkt. # 2-2.) Given the complex issues involved in this case, the interests of justice require that counsel be appointed for Petitioner. *See* 18 U.S.C. § 3006A(a)(2)(B). As

1 required by statute, Petitioner has demonstrated financial eligibility for such appointment. *See id.*
2 Accordingly, Petitioner's motion for appointment of counsel (Dkt. 2) is GRANTED. The Court
3 appoints the Federal Public Defender to represent Petitioner in these proceedings.

4 The Clerk shall send copies of this Order to Petitioner, to the Federal Public Defender, to
5 counsel for Respondents, and to the Honorable Lauren King.

6 Dated this 1st day of February, 2023.

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9 David W. Christel
United States Magistrate Judge
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